

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

Curtis Richardson,)	Civil Action No.: 4:16-cv-00835-RBH-TER
)	
Plaintiff,)	
)	
v.)	ORDER
)	
D. S. Wilkes, <i>Medical Staff Supervisor of</i>)	
<i>Darlington County Detention Center,</i>)	
)	
Defendant.)	
)	

Plaintiff Curtis Richardson, a federal prisoner proceeding pro se, commenced this action by filing a complaint pursuant to 42 U.S.C. § 1983 alleging violations of his constitutional rights. *See* ECF No. 1. Plaintiff subsequently filed a Motion for Default Judgment. *See* ECF No. 61. The matter is now before the Court for review of the Report and Recommendation (R & R) of United States Magistrate Judge Thomas E. Rogers, III, who recommends denying Plaintiff's motion.¹ *See* R & R, ECF No. 62.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with this Court. *See Mathews v. Weber*, 423 U.S. 261, 270-71 (1976). The Court is charged with making a de novo determination of those portions of the R & R to which specific objection is made, and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge or recommit the matter with instructions. *See* 28 U.S.C. § 636(b)(1).

Plaintiff has not filed objections to the R & R.² In the absence of objections to the R & R, the

¹ In accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02 (D.S.C.), this matter was referred to the Magistrate Judge for pretrial handling.

² Plaintiff's objections were due by May 8, 2017. *See* ECF No. 62.

Court is not required to give any explanation for adopting the Magistrate Judge's recommendations. *See Camby v. Davis*, 718 F.2d 198, 199-200 (4th Cir. 1983). The Court reviews only for clear error in the absence of an objection. *See Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (stating that "in the absence of a timely filed objection, a district court need not conduct de novo review, but instead must 'only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation'" (quoting Fed. R. Civ. P. 72 advisory committee's note)).

After a thorough review of the record in this case, the Court finds no clear error and therefore adopts and incorporates by reference the R & R [ECF No. 62] of the Magistrate Judge. Accordingly, the Court **DENIES** Plaintiff's Motion for Default Judgment [ECF No. 61]. The Court recommits this case to the Magistrate Judge for further pretrial handling.

IT IS SO ORDERED.

Florence, South Carolina
May 23, 2017

s/ R. Bryan Harwell
R. Bryan Harwell
United States District Judge